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AUG 30 2005

OFFICE OF PETITIONS

In re Application of
JASBINDER S. SANGHERA et al.
Application No.: 09/755,375
Attorney Docket No.: NC 82.919

: DECISION on PETITION
:
: UNDER 37 CFR 1.137(b)
:

This is a decision on the petition under 37 CFR 1.137(b), filed August 24, 2004 and refiled on April 13, 2005, to revive the above-identified application.

The petition is **GRANTED**.

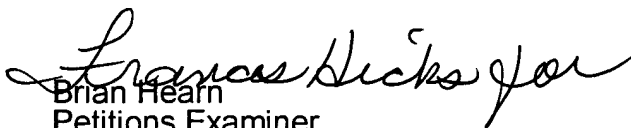
The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed May 22, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned at midnight on August 22, 2003.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment, (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the non-final Office action of August 24, 2004 is accepted as having been unintentionally delayed.

It is noted that the transmittal letter, amendment and petition, submitted on August 24, 2004, sets forth "Shyam Bayya" as the inventor for this application. However, there is no indication that Bayya was ever named as an inventor in this application. Further, the combined Declaration and Power of Attorney submitted does not list Bayya as an inventor. Therefore, all future papers filed in this case should denote Jasbinder S. Sanghera and Ishwar D. Aggarwal (or Sangera et al.) as the inventors in this application.

The application is being referred to Technology Center AU 2855.

Telephone inquiries concerning this decision should be directed to Cynthia Kratz at (571) 272-3286 or in her absence, the undersigned at (571) 272-3217.


Brian Hearn
Petitions Examiner
Office of Petitions